

DEPARTMENT OF ENVIRONMENTAL QUALITY NOTICE OF PUBLIC COMMENT

The Virginia Department of Environmental Quality (DEQ) seeks written comments from interested persons on the draft Watershed Implementation Plan (WIP) for the Chesapeake Bay Total Maximum Daily Loads (TMDLs) to address the water quality impairment in Virginia's tidal waters of Chesapeake Bay. These tidal waters were identified as impaired due to a violation of Virginia's general water quality standard for nutrients and dissolved oxygen.

EPA is establishing a federal TMDL for the 92 tidal segments of the Chesapeake Bay and its tidal tributaries and embayments that are listed as impaired or segments that deliver pollutant loads to segments listed as impaired under Section 303(d) of the Clean Water Act due to excess nutrients and sediments. The Chesapeake Bay TMDL is currently under development by EPA and is available on at <http://www.epa.gov/chesapeakebaytmdl>.

In accordance with EPA expectations, the jurisdictions' Watershed Implementation Plans (WIP) are designed to accomplish a set of allocations goals identified in the Chesapeake Bay TMDL. EPA recognizes that the level of detail the jurisdictions are expected to include in their WIPs will take time to develop. As a result, the WIP development process has been divided into three distinct phases. This initial Phase I Plan is intended to provide information to EPA to consider when it establishes wasteload and load allocations within each of the 92 segments listed as impaired. EPA expects Phase I WIP to include a description of the authorities, actions, and to the extent possible, control measures that will be implemented to achieve these point and nonpoint source TMDL allocations. A copy of Virginia's draft Phase I WIP is available at <http://www.deq.virginia.gov/tmdl/chesapeakebay.html>.

To better understand the expectations and consequences from EPA, the following documents are available at the DEQ Chesapeake Bay TMDL webpage:

- Letter to Chesapeake Bay Program Principals' Staff Committee Outlining EPA's Expectations for Watershed Implementation Plans (Nov. 4, 2009)
- Letter to the States in the Watershed and District of Columbia (Dec. 29, 2009)
- Letter to Principals' Staff Committee Outlining Schedule for TMDL Implementation (June 11, 2010)
- Letter with Draft Nutrient Allocations (July 1, 2010)
- Letter with Draft Sediment Allocations (August 13, 2010)

The public comment period for Virginia's Phase I WIP development will end on November 8, 2010. Comments or questions on the draft Phase I WIP should be sent to: VABAYTMDL@dcr.virginia.gov. Written comments and inquires should include the name, address, and telephone number of the person submitting the comments. For additional questions you may contact Russ Baxter, Virginia Department of Environmental Quality, 629 East Main Street, Richmond, VA 23219, phone: (804) 698-4382, email: Russ.Baxter@deq.virginia.gov or Russ Perkinson, Virginia Department of Conservation and Recreation 203 Governor Street, Suite 206 Richmond, VA 23219, phone (804) 786-4382, email: Russ.Perkinson@dcr.virginia.gov